

October 15, 1997

Excellency:

I have the honor to acknowledge the receipt of Your Excellency's Note of today's date, which reads as follows:

"Excellency,

"I have the honor to refer to the recent discussions between the representatives of the Government of Japan and the Government of the United States of America concerning the terms and conditions for cooperation between the Science and Technology Agency of Japan (hereinafter referred to as "STA") and the Nuclear Regulatory Commission of the United States of America (hereinafter referred to as "NRC") and between the Agency of Natural Resources and Energy of Japan (hereinafter referred to as "ANRE") and NRC in the field of nuclear regulatory matters and nuclear safety research and development.

"In consideration of the continuing mutually beneficial cooperation between the two Governments for the peaceful uses of nuclear energy under the Agreement for Cooperation Between the Government of Japan and the Government of the United States of America Concerning Peaceful Uses of Nuclear Energy, signed on November 4, 1987 at Tokyo (hereinafter referred to as "the Agreement"), I have further the honor to propose on behalf of the Government of Japan as follows:

His Excellency

Kunihiko Saito,

Ambassador of Japan.

"1. With respect to the provisions of subparagraph 1(a)(v) of Article 2 of the Agreement, cooperation between STA and NRC and between ANRE and NRC in the field of nuclear regulatory matters and nuclear safety research and development (hereinafter referred to as "the Cooperation"), which will be conducted in accordance with the terms and conditions of the present arrangement, shall be deemed appropriate as cooperation between the two Governments under the Agreement.

"2. The Cooperation may take the following forms:

- (1) Meetings of various types;
- (2) Exchange of information;
- (3) Exchange of personnel;
- (4) Joint research and development; and
- (5) Other forms as deemed appropriate by the two Governments.

"3. With a view to setting forth detailed terms and conditions for the Cooperation, STA and NRC, and ANRE and NRC, respectively, will conclude implementing arrangements, which shall include provisions for protection of intellectual property rights and other rights of a proprietary nature created in the course of the Cooperation.

"4. The provisions of the present arrangement and the implementing arrangements referred to in paragraph 3 above shall be implemented subject to the availability of appropriated funds and subject to the Agreement and the applicable laws and regulations in force in each country.

"5. STA and NRC, and ANRE and NRC, respectively, will consult among themselves in respect of any matter that may arise from or in connection with the Cooperation. If the matter cannot be resolved through such consultations, consultations between the two Governments will be held through diplomatic channels with a view to finding a mutually acceptable solution.

"6. The present arrangement will remain in force for five years. However, either Government may at any time give written notice to the other Government of its intention to terminate the present arrangement, in which case the present arrangement shall be terminated three months after such notice has been given. The present arrangement may be extended or amended by written agreement of the two Governments.

"I have further the honor to propose that this Note and your Excellency's Note in reply confirming the

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foregoing on behalf of the Government of the United States of America shall constitute an agreement between the two Governments, which shall enter into force on the date of Your Excellency's reply.

"Accept, Excellency, the renewed assurances of my highest consideration."

I have the further honor to confirm the foregoing on behalf of the Government of the United States of America and to agree that Your Excellency's Note and this Note shall constitute an agreement between the two Governments, which shall enter into force on the date of this reply.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Secretary of State:

Robert J. Einhorn



EMBASSY OF JAPAN
WASHINGTON, D.C.

October 15, 1997

Excellency,

I have the honor to refer to recent discussions between the representatives of the Government of Japan and the Government of the United States of America concerning the terms and conditions for cooperation between the Science and Technology Agency of Japan (hereinafter referred to as "STA") and the Nuclear Regulatory Commission of the United States of America (hereinafter referred to as the "NRC") and between the Agency of Natural Resources and Energy of Japan (hereinafter referred to as "ANRE") and NRC in the field of nuclear regulatory matters and nuclear safety research and development.

In consideration of the continuing mutually beneficial cooperation between the two Governments for the peaceful uses of nuclear energy under the Agreement for Cooperation Between the Government of Japan and the Government of the United States of America Concerning Peaceful Uses of Nuclear Energy, signed on November 4, 1987 at Tokyo (hereinafter referred to as "the Agreement"), I have further the honor to propose on behalf of the Government of Japan as follows:

1. With respect to the provisions of subparagraph 1(a)(v) of Article 2 of the Agreement, cooperation between STA and NRC and between ANRE and NRC in the field of nuclear regulatory matters and nuclear safety research and development (hereinafter referred to as "the Cooperation"), which will be conducted in accordance with the terms and conditions of the present arrangement, shall be

Her Excellency
Madeleine Korbelt Albright
The Secretary of State

deemed appropriate as cooperation between the two Governments under the Agreement.

2. The Cooperation may take the following forms:
 - (1) Meetings of various types;
 - (2) Exchange of information;
 - (3) Exchange of personnel;
 - (4) Joint research and development; and
 - (5) Other forms as deemed appropriate by the two Governments.
3. With a view to setting forth detailed terms and conditions for the Cooperation, STA and NRC, and ANRE and NRC, respectively, will conclude implementing arrangements, which shall include provisions for protection of intellectual property rights and other rights of a proprietary nature created in the course of the Cooperation.
4. The provisions of the present arrangement and the implementing arrangements referred to in paragraph 3 above shall be implemented subject to the availability of appropriated funds and subject to the Agreement and the applicable laws and regulations in force in each country.
5. STA and NRC, and ANRE and NRC, respectively, will consult among themselves in respect of any matter that may arise from or in connection with the Cooperation. If the matter cannot be resolved through such consultations, consultations between the two Governments will be held through diplomatic channels with a view to finding a mutually acceptable solution.
6. The present arrangement will remain in force for five years. However, either Government may at any time give written notice to the other Government of its intention to terminate the present arrangement, in which case the present arrangement shall be terminated three months after such notice has been given. The present arrangement may be amended or extended by written agreement of the two Governments.

I have further the honor to propose that this Note and your Excellency's Note in reply confirming the foregoing on behalf of the Government of the United States of America shall constitute an agreement between the two Governments, which shall enter into force on the date of Your Excellency's reply.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Ambassador Extraordinary
and Plenipotentiary of Japan

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